

REMARKS

Applicant thanks the Examiner for the thorough consideration given the present application. Claims 8-10, 13-18 and 20-22 are currently being prosecuted. Claims 8 and 16 are independent. The Examiner is respectfully requested to reconsider his rejections in view of the amendments and remarks as set forth below.

Application Status

In the Office Action of January 8, 2009, claim 24 is rejected under 35 USC § 102(b) and claims 8-11 and 13-15 is rejected under 35 USC § 103.

Detail of Current Claim Amendment

Responsive to the claim rejections and objections in the Office Action, Applicant amends the claims to more clarify the claimed invention.

Claim 8 is further amended to have the limitation of a “holding chamber” and “the flange surrounding an empty opening formed on the top of the holding chamber.” Support for this amendment can be found in Figs. 3A-3D of the originally-filed specification, wherein the bowl 32 forms a holding chamber with extended flange 35 formed on the top edge of side wall thereof, and the flange 35 surrounds an empty opening formed on the top of the holding chamber. Claim 8 is further amended to have the limitation that “the curable fluid is selected from a group of fluids consisting of a photosensitive curable fluid, a thermal sensitive curable fluid and a double agent curable gel” recited in originally-filed claim 11.

Claim 16 is further amended to have the limitation of a “holding chamber” and “the flange surrounding an empty opening formed on the top of the holding chamber.” Support for this amendment can be found in Figs. 3A-3D of the originally-filed specification, wherein the bowl 32 forms a holding chamber with extended flange 35 formed on the top edge of side wall thereof, and the flange 35 surrounds an empty opening formed on the top of the holding chamber. Claim 16 is further amended to have the limitation that “the curable fluid is selected from a group of fluids consisting of a photosensitive curable fluid, a thermal sensitive curable fluid and a double agent curable gel” recited in originally-filed claim 19.

Accordingly, as all claim amendments have their corresponding support in the original specification, they contribute no new matter in this application and should be entered.

Response To Claim Rejections Under 35 U.S.C. §103

Claims 8-11 and 13-15 stand rejected under 35 U.S.C. §103 as allegedly being unpatentable over Han (USP 6,731,588) in view of Hung (USP 6,747,803). Applicant respectfully traverses this rejection on the ground that the teachings of the prior art reference do not suggest all features of the claimed invention to one of ordinary skill in the art.

In order for a claim to be properly rejected under 35 U.S.C. §103, the teachings of the prior art reference must suggest all features of the claimed invention to one of ordinary skill in the art. *See, e.g., In re Dow Chemical*, 837 F.2d 469, 5 U.S.P.Q.2d 1529, 1531 (Fed. Cir. 1988); *In re Keller*, 642 F.2d 413, 208 U.S.P.Q. 871, 881 (C.C.P.A. 1981).

1) Claim 8 and dependent claims from claim 8

Independent claim 8, as currently amended, states:

8. An anti-vibration apparatus applied in a rotating disk of an image display system for eliminating unbalance of the rotating disk, comprising:

a motor for providing rotation power;

a spindle housed in the motor and coupled with the rotating disk for transmitting the rotation power to drive the rotating disk;

a holding chamber having a side wall extended away from the rotating disk, and having a flange formed on a top end of the side wall as a monolithic piece and extending toward a center of the rotating disk, the flange surrounding an empty opening formed on the top of the holding chamber;

a curable fluid contained in the holding chamber; and

a predetermined amount of spheres placed in the holding chamber;

wherein the fluid and the spheres are distributed at the periphery side of the holding chamber to balance the rotating disk, and the fluid is cured to fix the sphere, wherein the

curable fluid is selected from a group of fluids consisting of a photosensitive curable fluid, a thermal sensitive curable fluid and a double agent curable gel.

(Emphasis added)

Independent claim 8 is allowable for at least the reason that Han or *Hung* do not disclose, teach, or suggest the features that are highlighted in claim 8 above. In Fig. 16 of Han, the flange B defined by Examiner does not satisfy the limitation that “a **flange** formed on a top end of the side wall as a **monolithic piece and extending toward a center of the rotating disk.**” More specifically, Han does not disclose the limitation of “the flange surrounding an empty opening formed on the top of the holding chamber.” In Han, to prevent the fluid 172 from leaking, **there is no motivation to form an empty opening on the top of the balancer 400.** Therefore, according to the current patent law, since the teachings of Han and *Hung* do not disclose, teach, or suggest all the features in the claimed invention, the 103 rejection is properly overcome. Applicant respectfully requests prompt allowance of independent claim 8.

Dependent claims 9-10 and 13-15 are believed to be allowable for at least the reason that these claims depend from allowable independent claim 8. *In re Fine*, 837 F.2d 1071, 5 U.S.P.Q.2d 1596, 1600 (Fed. Cir. 1988).

Claims 8-11 and 13-24 stand rejected under 35 U.S.C. §103 as allegedly being unpatentable over Hung (USP 6,747,803) in view of Goodrich et al. (USP 3,696,688). Applicant respectfully traverses this rejection on the ground that the teachings of the prior art reference do not suggest all features of the claimed invention to one of ordinary skill in the art.

In order for a claim to be properly rejected under 35 U.S.C. §103, the teachings of the prior art reference must suggest all features of the claimed invention to one of ordinary skill in the art. *See, e.g., In re Dow Chemical*, 837 F.2d 469, 5 U.S.P.Q.2d 1529, 1531 (Fed. Cir. 1988); *In re Keller*, 642 F.2d 413, 208 U.S.P.Q. 871, 881 (C.C.P.A. 1981).

2) Claim 8 and dependent claims from claim 8

Independent claim 8, as currently amended, states:

8. An anti-vibration apparatus applied in a rotating disk of an image display system for eliminating unbalance of the rotating disk, comprising:

a motor for providing rotation power;

a spindle housed in the motor and coupled with the rotating disk for transmitting the rotation power to drive the rotating disk;

a holding chamber having a side wall extended away from the rotating disk, and having a flange formed on a top end of the side wall as a monolithic piece and extending toward a center of the rotating disk, the flange surrounding an empty opening formed on the top of the holding chamber;

a curable fluid contained in the holding chamber; and

a predetermined amount of spheres placed in the holding chamber;

wherein the fluids and the spheres are distributed at the periphery side of the holding chamber to balance the rotating disk, and the fluid is cured to fix the sphere, wherein the curable fluid is selected from a group of fluids consisting of a photosensitive curable fluid, a thermal sensitive curable fluid and a double agent curable gel.

(Emphasis added)

Independent claim 8 is allowable for at least the reason that *Hung* or Goodrich do not disclose, teach, or suggest the features that are highlighted in claim 8 above. More specifically, there is no motivation to combine *Hung* and Goodrich. In Goodrich, column 2, lines 6-8, states "About one-half of the groove of the race element 17 is filled with liquid silicone 21 or other lubricant which has a **damping effect** on the **movement** of the balls 20." When the balls are **fixed** by cured fluid, there is no **damping effect**.

If a proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification. *In re Ratti*, 270 F.2d 810, 123 USPQ 349 (CCPA 1959)

Therefore, according to the current patent law, since the teachings of *Hung* and Goodrich do not disclose, teach, or suggest all the features in the claimed invention, the 103 rejection is properly overcome. Applicant respectfully requests prompt allowance of independent claim 8.

Dependent claims 9-10 and 13-15 are believed to be allowable for at least the reason that these claims depend from allowable independent claim 8. *In re Fine*, 837 F.2d 1071, 5 U.S.P.Q.2d 1596, 1600 (Fed. Cir. 1988).

3) Claim 16 and dependent claims from claim 16

Independent claim 16, as currently amended, states:

16. A color wheel module applied in an image display system for modulating the color of an incident light, comprising:

a motor for providing rotation power;

a disc-shaped color filter disk with a plurality of thin film color filters being driven to rotate by the motor for alternately modulating the color of the incident light;

a holding chamber formed on the disc-shaped color filter disk, having a side wall extended away from the disc-shaped color filter disk and having a flange formed on a top end of the side wall as a monolithic piece and extending toward a center of the disc-shaped color filter disk, the flange surrounding an empty opening formed on the top of the holding chamber;

a curable fluid contained in the holding chamber; and

a plurality of spheres placed in the holding chamber;

wherein the fluid and the spheres are distributed at the peripheral side of the holding chamber to balance the disc-shaped color filter disk, and the fluid is cured to fix the sphere, wherein the curable fluid is selected from a group of fluids consisting of a photosensitive curable fluid, a thermal sensitive curable fluid and a double agent curable gel.

(Emphasis added)

Independent claim 16 is allowable for at least the reason that *Hung* or *Goodrich* do not disclose, teach, or suggest the features that are highlighted in claim 16 above. More specifically, there is no motivation to combine *Hung* and *Goodrich*. In *Goodrich*, column 2, lines 6-8, states "About one-half of the groove of the race element 17 is filled with liquid silicone 21 or other lubricant which has a **damping effect** on the **movement** of the balls 20." When the balls are **fixed** by cured fluid, there is no **damping effect**.

If a proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification. *In re Ratti*, 270 F.2d 810, 123 USPQ 349 (CCPA 1959)

Therefore, according to the current patent law, since the teachings of *Hung* and *Goodrich* do not disclose, teach, or suggest all the features in the claimed invention, the 103 rejection is properly overcome. Applicant respectfully requests prompt allowance of independent claim 16.

Dependent claims 17-18, 20-22 are believed to be allowable for at least the reason that these claims depend from allowable independent claim 16. *In re Fine*, 837 F.2d 1071, 5 U.S.P.Q.2d 1596, 1600 (Fed. Cir. 1988).

Conclusion

In light of the foregoing amendments and for at least the reasons set forth above, Applicant respectfully submits that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the now pending claims 8-11 and 13-24 are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested.

Should there be any outstanding matters that need to be resolved in the present application; the Examiner is respectfully requested to contact Chris McDonald (Reg. No. 41,533) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

Application No. 10/791,818
Amendment dated April 1, 2009
Reply to Office Action dated January 8, 2009

Docket No.: 0941-0927P

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

Dated: April 1, 2009

Respectfully submitted,

By 

Paul C. Lewis *CJM*

Registration No.: 43,368

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Road

Suite 100 East

P.O. Box 747

Falls Church, Virginia 22040-0747

(703) 205-8000

Attorney for Applicant